

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1492

AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 13-26-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) At any time after the creation of a district, the district, after motion by the district's board, may file a petition with the department requesting the approval of the department permitting the district to:

- (1) increase or add to the district's purposes or modify the district plan approved by the department; ~~or~~
- (2) abandon or surrender all or part of a purpose or plan approved by the department; **or**
- (3) subject to IC 13-26-4-1, increase the number of persons serving on the board of trustees.**

(b) The department may:

- (1) approve;
- (2) modify and approve; or
- (3) reject;

a request received under this section.

SECTION 2. IC 13-26-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The board of trustees of a district is the governing body of the district. A board may consist of:

- (1) three (3);
- (2) five (5);

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- (3) seven (7); ~~or~~
- (4) nine (9);
- (5) eleven (11); or**
- (6) thirteen (13);**

trustees.

SECTION 3. IC 13-26-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. **(a)** If:

- (1) a district will include territory in more than one (1) county;
- (2) a county executive has filed a petition for a district including territory owned, leased, or controlled by the department of natural resources; or
- (3) the department of natural resources has filed a petition;

the order establishing the district may provide that the governor appoints any number of trustees, but less than one-half (1/2) of the total.

**(b) If a district contains or a proposed district will contain a state correctional facility, the department, when:**

- (1) issuing an order establishing the district under IC 13-26-2-10; or**
- (2) approving or modifying a petition filed by the district's board of trustees under IC 13-26-1-2;**

**may allow for the appointment of one (1) member of the board of trustees of the district by the commissioner of the department of correction.**

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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